

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13443 of 2025

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1. Ram Vriksh Das S/o Late Narayan Das, R/o Upathu, PO Dehuri P.S.-Atari, Dehri, District Gaya.
 2. Yogendra Das S/o Shyam Ravidas, R/o Upathu, PO Dehuri P.S.-Atari, Dehri, District Gaya.
 3. Umesh Das S/o Shyam Ravidas, R/o Upathu, PO Dehuri P.S.-Atari, Dehri, District Gaya.
 4. Munarik Das @ Mundrika Das S/o Narayan Das, R/o Upathu, PO Dehuri P.S.-Atari, Dehri, District Gaya.
 5. Prabhu Das S/o Narayan Das, R/o Upathu, PO Dehuri P.S.-Atari, Dehri, District Gaya.
 6. Vijay Das S/o Kailash Ravidas, R/o Harjan Dharmshala, Manpur, P.S.-Muffasil, District Gaya, Bihar.
 7. Sanjay Das S/o Kaushal Ravidas @ Kushal Das, R/o Village Harijan Dharmshala Manpur, P.S.- Muffasil, Dist.-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Revenue and Land Reform Department, Bihar
2. The Secretary, Revenue and Land Reform Department, Government of Bihar, Patna.
3. The Collector, Gaya, Bihar.
4. The Additional Collector, Gaya, Bihar.
5. The Deputy Collector, Land Reform, Gaya, Bihar.
6. The Circle Officer, Atri, District Gaya, Bihar.
7. The Chairman, Bihar Bhoodan Yagya Committee, Bihar.
8. The Karyalay Mantri, District Bhoodan Yagya Karyalay, Gaya, Bihar.
9. The Secretary, Board of Revenue, Bihar, Patna
10. The Officer Incharge, P.S. - Atri, District – Gaya, Bihar
11. Karu Das, S/o Narayan Das, R/o Upathu, P.O. - Dehuri Atari, Dehri, District - Gaya

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manju Kumari, Advocate
For the Respondent No.1: Mr. Naresh Dishit, Advocate
Ms. Kalpana, Advocate
For the Respondent Nos. 7 & 8: Mr. Rajni Kant Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI



ORAL ORDER

2 25-08-2025 1. It is the case of the petitioners that one Late Narayan Mochi father/grandfather of the petitioners was granted land by the Bihar Bhoodan Yagya Committee, measuring 4 acres and 4 decimal of land *vide* Praman Patra No. 71390/91056 on 22nd of June, 1959 in Khata No. 118, Khesra No. 367, 893 and 563. The said Narayan Mochi died, leaving behind six sons, namely, Ramwriksh Das, Shyam Das, Karu Das, Kushal Das, Munarik Das and Prabhu Das. Out of the six sons, two sons, namely, Shyam Das and Kushal Das died, leaving behind his sons as legal heirs and representatives.

2. It is the case of the petitioners that they have inherited the land of Narayan Mochi, which he got by way of settlement but one of the sons of Narayan Mochi, namely, Karu Das, who is Respondent No. 11 herein, has been disturbing their right, title and interest over the property in question. Therefore, the petitioners have prayed for a direction upon the Circle Officer to prepare separate Jamabandi in respect of each of the petitioners as well as Respondent No. 11, in respect of their shares and direct them



to pay revenue according to their share.

3. I have heard the learned Advocate for the petitioners as well as the learned Advocate appearing on behalf of the Board of Revenue and Bihar Bhoodan Yagya Committee, Bihar.

4. It is needless to say that the dispute evolves between the petitioners and Private Respondent No. 11. They are co-sharers in respect of the property in question. For the purpose of division of land amongst co-sharers neither the Revenue Authority nor the Circle Officer nor any Administrative Agency under the Revenue and Land Reforms Department has any power or authority to resolve the dispute. If the petitioners is aggrieved and disturbed by one of their brothers, being one of the co-sharers, they have liberty to file a suit for partition and injunction. Writ Court cannot grant any relief in the form of partition. No direction can also be given to the Administrative Authorities because they do not have statutory power for partition of the property in question amongst the co-sharers.

5. In view of such circumstances, I do not find any



merit in the instant writ petition and, accordingly, the instant writ petition is dismissed.

6. However, the petitioners are at liberty to take appropriate action before the competent Civil Court for partition of the property in question.

(Bibek Chaudhuri, J)

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